

REMARKS

Applicants have carefully reviewed the Office Action dated January 26, 2007. Applicants have amended Claim 14 to correct a typographical error. Reconsideration and favorable action is respectfully requested.

Claims 1 and 14 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. The claims are considered by the Examiner to contain subject matter which is not described in the Specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. This rejection is respectfully traversed. The Examiner specifically pointed out that the claim was not supported as the Examiner was utilizing the portion of the Specification that described Fig. 19. The Examiner set this forth beginning on page 2, paragraph 6 as follows:

“This message from the PC 302 is transmitted over a path 1900 to the ARS 308 where the ARS database 310 is accessed to cross reference the ID information and bar code information to a particular advertiser and wand distributor. The ARS 308 returns a message packet over a path 1902 to the user PC 302 which contains routing information as to the location of various other sites disposed on the GCN 306, for example, the advertiser server 312 and wand distributor site 1616. It is noted that, when the wand (or tool) is utilized, the program at the PC may recognize this and merely input the user ID in the wand (or tool) ID field” Specification, page 42).”

The Examiner specifically is referring to the limitation in the claim set forth in paragraph 6 as follows:

“receiving from the intermediate location on the network instructional code that was generated at the intermediate location as a result of the transmission of the data transmission thereto, which instructional code includes routing information that instructs the user location to connect to one of the plurality of destination locations on the network that has a defined association with the representation of the unique information defined in a database at

the intermediate location on the network, which defined association is required to provide for the unique information to be associated with the one of the plurality of destinations locations on the network and without which the unique information can not be associated with one of the plurality of destination locations on the network, and which defined association is defined by the intermediate location and can be changed at the intermediate location and in the possession of the intermediate location”.

However, Applicants specifically refer the Examiner to the section of the Specification beginning at page 18 and extending to page 19. This portion of the Specification is set forth as follows:

Upon receipt of the message packet 400 from source PC 302, ARS 308 processes the information in accordance with instructions embedded in the overhead information. The ARS 308 specifically will extract the product code information from the received packet 400 and, once extracted, will then decode this product code information. Once decoded, this information is then compared with data contained within the ARS advertiser database 310 to determine if there is a “hit.” If there is no “hit” indicating a match, then information is returned to the browser indicating such. If there is a “hit,” a packet 402 is assembled which comprises the address of the source PC 302, and information instructing the source PC 302 as to how to access, directly in a “handoff” operation, another location on the network, that of an advertiser server 312. This type of construction is relatively conventional with browsers such as *Netscape®* and *Microsoft Internet Explorer®* and, rather than displaying information from the ARS 308, the source PC 302 can then access the advertiser server 312. The ARS 308 transmits the packet 402 back to source PC 302 over Path “B.” Referring now to FIGURE 4b, the message packet 402 comprises the address of the source PC 302, the URL of the advertiser server 312 embedded within instructional code, and the URL of the ARS 308.

This particular portion of the Specification shows that the information is transmitted to the remote or intermediate location in the form of a data packet with a return address. The information that is transferred back is embedded information and this is embedded instructional code. Rather than displaying the information, the PC accesses the advertiser server. This is instructional code that is typically referred to as the “jump” code. Applicants believe that the

Specification at this point clearly describes what is happening and Applicants believe that the Examiner is referring to the wrong portion of the Specification. Thus, Applicants believe that there is clearly provided support for this portion of the claim and, therefore, respectfully request withdrawal of the 35 U.S.C. § 112 rejection with respect to Claims 1 and 14.

Claims 4 and 7 stand rejected under 35 U.S.C. § 112 as containing a negative limitation. However, the Examiner merely states that “Claims 4, 7 contain the negative limitation.” There is no description as to what negative limitation Claims 4 and 7 contain. Claims 4 and 7 are stated as follows:

Claim 4: The method of Claim 3, wherein the step of receiving the machine readable code comprises scanning the machine readable code, decoding the machine readable code and outputting the information encoded within the machine readable code as the representation of the unique information.

Claim 7: The method of Claim 5, wherein the product code comprises an ISBN number associated with printed materials.

Applicant respectfully requests the Examiner to specifically point out what negative limitation is contained within Claim 4 and Claim 7, as it is difficult to determine what the Examiner is referring to from the Office Action as it currently stands.

Claims 1-17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Wang et al.*, U.S. Patent Application Publication No. US 2002/0042736 A1. This rejection is respectfully traversed with respect to the amended claims.

Applicants will note that the *Wang* reference is very similar to the *Hudetz* reference. The *Hudetz* reference provides for an automatic operation. However, the *Hudetz* reference, as Applicants have argued in this application in prior responses, transfers an HTML page to the user's PC. This is also the case with respect to the *Wang* patent. This is set forth in paragraph [0032]. Further, the user's PC must make a decision when it receives this information and, therefore, this cannot be an instructional code. There must be something at the user's PC that interprets the information in the HTML page and then makes a determination as to what action to

take. As such, for the same reason that *Hudetz* did not anticipate or obviate the claim in accordance with Applicants prior arguments, Applicants believe that the *Wang* reference does not provide for instructional code that can be transmitted from the intermediate site to control the operation of the user's computer; rather, the user's computer still controls the information after receiving the information in an HTML page format. Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. § 102 rejection with respect to *Wang*.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,737 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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